

PROOF

STATE OF IOWA

House Journal

MONDAY, FEBRUARY 19, 2018

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JOURNAL OF THE HOUSE

Forty-third Calendar Day - Twenty-eighth Session Day

Hall of the House of Representatives
Des Moines, Iowa, Monday, February 19, 2018

The House met pursuant to adjournment at 1:00 p.m., Heartsill of Marion in the chair.

Prayer was offered by Rabbi Emeritus Henry Jay Karp, Temple Emanuel, Davenport. He was the guest of McKean of Jones and Thede of Scott.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Bailey Veatch, Page from Ottumwa.

The Journal of Friday, February 16, 2018, was approved.

INTRODUCTION OF BILLS

[House File 2395](#), by committee on Public Safety, a bill for an act relating to the criminal elements and penalties for the commission of sexual misconduct with offenders and juveniles, and including effective date provisions.

Read first time and placed on the **calendar**.

[House File 2396](#), by committee on Judiciary, a bill for an act relating to the misrepresentation of a person as an owner or trainer of a service dog or assistive animal and providing penalties.

Read first time and placed on the **calendar**.

[House File 2397](#), by committee on Judiciary, a bill for an act relating to the admissibility of evidence of an employee's criminal history in civil actions.

Read first time and placed on the **calendar**.

[House File 2398](#), by committee on Education, a bill for an act relating to the components of a comparable system of career paths and compensation for school districts.

Read first time and placed on the **calendar**.

[House File 2399](#), by committee on Human Resources, a bill for an act relating to the state training school at Eldora.

Read first time and placed on the **calendar**.

[House File 2400](#), by committee on Judiciary, a bill for an act relating to reporting accidents resulting in injury or death, and providing penalties.

Read first time and placed on the **calendar**.

[House File 2401](#), by committee on Public Safety, a bill for an act relating to child abuse involving access to a child by a person who is a sex offender.

Read first time and placed on the **calendar**.

[House File 2402](#), by committee on Judiciary, a bill for an act relating to an agent's termination or suspension of authority for a power of attorney.

Read first time and placed on the **calendar**.

[House File 2403](#), by committee on Natural Resources, a bill for an act relating to the rescission of an administrative rule relating to the use of certain handguns for hunting deer and including effective date provisions.

Read first time and placed on the **calendar**.

[House File 2404](#), by committee on Judiciary, a bill for an act relating to restitution paid to the estate or heirs at law of a crime victim.

Read first time and placed on the **calendar**.

[House File 2405](#), by committee on Judiciary, a bill for an act prohibiting a cause of action for wrongful birth or wrongful life, and including effective date and applicability provisions.

Read first time and placed on the **calendar**.

The House stood at ease at 1:23 p.m., until the fall of the gavel.

The House resumed session at 3:03 p.m., Speaker Upmeyer in the chair.

On motion by Hagenow of Polk, the House was recessed at 3:04 p.m., until the conclusion of the committee on Ways and Means.

AFTERNOON SESSION

The House reconvened at 4:29 p.m., Windschitl of Harrison in the chair.

INTRODUCTION OF BILLS

[House Joint Resolution 2010](#), by committee on Judiciary, a joint resolution proposing an amendment to the Constitution of the State of Iowa relating to the rights of a crime victim.

Read first time and placed on the **calendar**.

[House File 2406](#), by committee on Appropriations, a bill for an act establishing shared operational function supplemental weighting for licensed social workers and including effective date and applicability provisions.

Read first time and placed on the **Appropriations calendar**.

[House File 2407](#), by committee on Agriculture, a bill for an act relating to the application of pesticides into lakes, and providing penalties.

Read first time and placed on the **calendar**.

[House File 2408](#), by committee on Agriculture, a bill for an act regulating the sale of eggs by grocery stores participating in a federal program.

Read first time and placed on the **calendar**.

[House File 2409](#), by committee on Commerce, a bill for an act relating to wrecked or salvage motor vehicles.

Read first time and placed on the **calendar**.

[House File 2410](#), by committee on Public Safety, a bill for an act relating to sex offender registration requirements, sexually violent predators, and the commission of the offense of child endangerment by a sex offender, and providing penalties.

Read first time and placed on the **calendar**.

[House File 2411](#), by committee on Judiciary, a bill for an act relating to the powers of an agent under a power of attorney with respect to real property.

Read first time and placed on the **calendar**.

[House File 2412](#), by committee on Judiciary, a bill for an act relating to the failure to wear a motor vehicle safety belt or safety harness.

Read first time and placed on the **calendar**.

[House File 2413](#), by committee on Judiciary, a bill for an act relating to child abuse involving the commission of a sexual offense with or to a child by a person who is eighteen years of age or older.

Read first time and placed on the **calendar**.

[House File 2414](#), by committee on Human Resources, a bill for an act relating to the provision of medical support in child support actions, and including effective date provisions.

Read first time and placed on the **calendar**.

[House File 2415](#), by committee on State Government, a bill for an act providing for online reports of waivers and variances granted by the boards for certain medical professions and including effective date provisions.

Read first time and placed on the **calendar**.

[House File 2416](#), by committee on Transportation, a bill for an act relating to the coordination of enforcement activities between the department of transportation and the department of public safety, including provisions relating to department of transportation employees designated as peace officers, and including effective date provisions.

Read first time and placed on the **calendar**.

[House File 2417](#), by committee on State Government, a bill for an act relating to allowable forms for payment for amusement concessions at a fair.

Read first time and placed on the **calendar**.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Madam Speaker: I am directed to inform your honorable body that the Senate has on February 19, 2018, passed the following bill in which the concurrence of the House is asked:

[Senate File 2020](#), a bill for an act relating to the percentage of campsites in a state park or preserve that may be reserved through a centralized reservation system.

Also: That the Senate has on February 19, 2018, passed the following bill in which the concurrence of the House is asked:

[Senate File 2059](#), a bill for an act authorizing the use of electronic means for certain notices and information provided by local assessors and including applicability provisions.

Also: That the Senate has on February 19, 2018, passed the following bill in which the concurrence of the House is asked:

[Senate File 2067](#), a bill for an act relating to lighted headlamps on motor vehicles, and making penalties applicable.

Also: That the Senate has on February 19, 2018, passed the following bill in which the concurrence of the House is asked:

[Senate File 2098](#), a bill for an act relating to probate, by amending the probate powers of the clerk and conforming the probate procedures to electronic data management systems standards.

Also: That the Senate has on February 19, 2018, passed the following bill in which the concurrence of the House is asked:

[Senate File 2099](#), a bill for an act relating to probate and the administration of small estates and including applicability provisions.

Also: That the Senate has on February 19, 2018, passed the following bill in which the concurrence of the House is asked:

[Senate File 2118](#), a bill for an act relating to youth deer hunting license seasonal use restrictions.

Also: That the Senate has on February 19, 2018, passed the following bill in which the concurrence of the House is asked:

[Senate File 2139](#), a bill for an act relating to the powers of an agent under a power of attorney with respect to real property and including effective date provisions.

Also: That the Senate has on February 19, 2018, passed the following bill in which the concurrence of the House is asked:

[Senate File 2163](#), a bill for an act relating to amber, blue, and white lighting devices and reflectors on motor vehicles and equipment owned by the department of transportation and used for snow and ice treatment or removal.

Also: That the Senate has on February 19, 2018, passed the following bill in which the concurrence of the House is asked:

[Senate File 2167](#), a bill for an act relating to an ex parte court order authorizing the interception of wire, oral, or electronic communications by special state agents.

Also: That the Senate has on February 19, 2018, passed the following bill in which the concurrence of the House is asked:

[Senate File 2201](#), a bill for an act relating to the national guard, by authorizing a morale, welfare, and recreation activity and establishing procedures concerning notification of civilian authorities regarding certain criminal offenses committed by members of the national guard.

Also: That the Senate has on February 19, 2018, passed the following bill in which the concurrence of the House is asked:

[Senate File 2227](#), a bill for an act relating to the publication of county resolutions.

Also: That the Senate has on February 19, 2018, passed the following bill in which the concurrence of the House is asked:

[Senate File 2257](#), a bill for an act defining marketplace contractors and designating marketplace contractors as independent contractors under specified circumstances.

Also: That the Senate has on February 19, 2018, passed the following bill in which the concurrence of the House is asked:

[Senate File 2271](#), a bill for an act relating to motor carriers, and making penalties applicable.

W. CHARLES SMITHSON, Secretary

CONSIDERATION OF BILLS Unfinished Business Calendar

[Senate File 455](#), a bill for an act relating to school district finance by modifying provisions relating to the calculation of the regular program state cost per pupil and the regular program district cost per pupil, and by establishing a supplementary weighting plan for certain mandatory school district transportation costs and including effective date provisions, with report of committee recommending amendment and passage, was taken up for consideration.

Rogers of Black Hawk offered amendment [H-8010](#) filed by the committee on Appropriations.

Winckler of Scott offered amendment [H-8042](#), to the committee amendment [H-8010](#), filed by her from the floor.

Winckler of Scott asked and received unanimous consent to withdraw amendment [H-8042](#) to the committee amendment [H-8010](#).

Rogers of Black Hawk moved the adoption of the committee amendment [H-8010](#).

The committee amendment [H-8010](#) was adopted.

Rogers of Black Hawk moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" ([S.F. 455](#))

The ayes were, 92:

Anderson	Bacon	Baudler	Baxter
Bearinger	Bennett	Bergan	Best
Bloomington	Bossman	Breckenridge	Brown-Powers
Carlson	Cohoon	Cownie	Deyoe
Dolecheck	Finkenauer	Fisher	Forbes
Fry	Gaines	Gaskill	Gassman
Grassley	Gustafson	Hagenow	Hager
Hall	Hanusa	Heartsill	Heaton
Heddens	Hein	Highfill	Hinson
Holt	Holz	Huseman	Isenhardt
Jacobsen	Jacoby	Jones	Kacena
Kaufmann	Kearns	Kerr	Klein
Koester	Kressig	Kurth	Landon
Lensing	Lundgren	Mascher	Maxwell
McConkey	McKean	Miller, P.	Mohr
Mommsen	Moore	Nielsen	Nunn
Ourth	Paustian	Pettengill	Prichard
Rizer	Rogers	Running-Marquardt	Salmon
Sexton	Sheets	Sieck	Smith, M.
Smith, R.	Staed	Steckman	Taylor, R.
Taylor, T.	Thede	Upmeyer, Spkr.	Vander Linden
Watts	Wessel-Kroeschell	Wheeler	Wills
Wolfe	Worthan	Zumbach	Windschitl, Presiding

The nays were, 5:

Hunter	Meyer	Oldson	Olson
Winckler			

Absent or not voting, 3:

Abdul-Samad	Baltimore	Miller, H.
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The bill having received a constitutional majority was declared to have passed the House and the title, as amended, was agreed to.

Regular Calendar

[House File 2197](#), a bill for an act relating to the administration of driving skills tests required for a commercial driver's license, was taken up for consideration.

Hinson of Linn moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" ([H.F. 2197](#))

The ayes were, 97:

Anderson	Bacon	Baudler	Baxter
Bearinger	Bennett	Bergan	Best
Bloomingtondale	Bossman	Breckenridge	Brown-Powers
Carlson	Cohoon	Cownie	Deyoe
Dolecheck	Finkenauer	Fisher	Forbes
Fry	Gaines	Gaskill	Gassman
Grassley	Gustafson	Hagenow	Hager
Hall	Hanusa	Heartsill	Heaton
Heddens	Hein	Highfill	Hinson
Holt	Holz	Hunter	Huseman
Isenhart	Jacobsen	Jacoby	Jones
Kacena	Kaufmann	Kearns	Kerr
Klein	Koester	Kressig	Kurth
Landon	Lensing	Lundgren	Mascher
Maxwell	McConkey	McKean	Meyer
Miller, P.	Mohr	Mommsen	Moore
Nielsen	Nunn	Oldson	Olson
Ourth	Paustian	Pettengill	Prichard
Rizer	Rogers	Running-Marquardt	Salmon
Sexton	Sheets	Sieck	Smith, M.
Smith, R.	Staed	Steckman	Taylor, R.
Taylor, T.	Thede	Upmeyer, Spkr.	Vander Linden
Watts	Wessel-Kroeschell	Wheeler	Wills
Winckler	Wolfe	Worthan	Zumbach
Windschitl, Presiding			

The nays were, none.

Absent or not voting, 3:

Abdul-Samad Baltimore Miller, H.

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

[House File 2231](#), a bill for an act relating to the development and maintenance of specified policies by the department of natural resources, was taken up for consideration.

Klein of Washington moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" ([H.F. 2231](#))

The ayes were, 97:

Anderson	Bacon	Baudler	Baxter
Bearinger	Bennett	Bergan	Best
Bloomingtondale	Bossman	Breckenridge	Brown-Powers
Carlson	Cohoon	Cownie	Deyoe
Dolecheck	Finkenauer	Fisher	Forbes
Fry	Gaines	Gaskill	Gassman
Grassley	Gustafson	Hagenow	Hager
Hall	Hanusa	Heartsill	Heaton
Heddens	Hein	Highfill	Hinson
Holt	Holz	Hunter	Huseman
Isenhardt	Jacobsen	Jacoby	Jones
Kacena	Kaufmann	Kearns	Kerr
Klein	Koester	Kressig	Kurth
Landon	Lensing	Lundgren	Mascher
Maxwell	McConkey	McKean	Meyer
Miller, P.	Mohr	Mommsen	Moore
Nielsen	Nunn	Oldson	Olson
Ourth	Paustian	Pettengill	Prichard
Rizer	Rogers	Running-Marquardt	Salmon
Sexton	Sheets	Sieck	Smith, M.
Smith, R.	Staed	Steckman	Taylor, R.
Taylor, T.	Thede	Upmeyer, Spkr.	Vander Linden
Watts	Wessel-Kroeschell	Wheeler	Wills
Winckler	Wolfe	Worthan	Zumbach
Windschitl, Presiding			

The nays were, none.

Absent or not voting, 3:

Abdul-Samad Baltimore Miller, H.

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

[House File 2281](#), a bill for an act relating to confinement feeding operations maintaining fishes, by providing for the calculation of animal unit capacity, making penalties applicable, and including effective date provisions, was taken up for consideration.

Sexton of Calhoun moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" ([H.F. 2281](#))

The ayes were, 97:

Anderson	Bacon	Baudler	Baxter
Bearinger	Bennett	Bergan	Best
Bloomingtondale	Bossman	Breckenridge	Brown-Powers
Carlson	Cohoon	Cownie	Deyoe
Dolecheck	Finkenauer	Fisher	Forbes
Fry	Gaines	Gaskill	Gassman
Grassley	Gustafson	Hagenow	Hager
Hall	Hanusa	Heartsill	Heaton
Heddens	Hein	Highfill	Hinson
Holt	Holz	Hunter	Huseman
Isenhart	Jacobsen	Jacoby	Jones
Kacena	Kaufmann	Kearns	Kerr
Klein	Koester	Kressig	Kurth
Landon	Lensing	Lundgren	Mascher
Maxwell	McConkey	McKean	Meyer
Miller, P.	Mohr	Mommsen	Moore
Nielsen	Nunn	Oldson	Olson
Ourth	Paustian	Pettengill	Prichard
Rizer	Rogers	Running-Marquardt	Salmon
Sexton	Sheets	Sieck	Smith, M.
Smith, R.	Staed	Steckman	Taylor, R.
Taylor, T.	Thede	Upmeyer, Spkr.	Vander Linden
Watts	Wessel-Kroeschell	Wheeler	Wills
Winckler	Wolfe	Worthan	Zumbach
Windschitl, Presiding			

The nays were, none.

Absent or not voting, 3:

Abdul-Samad Baltimore Miller, H.

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

[House File 2297](#), a bill for an act relating to boiler and unfired steam pressure vessel inspections, was taken up for consideration.

Deyoe of Story offered amendment [H-8008](#) filed by him and moved its adoption.

Amendment [H-8008](#) was adopted.

Deyoe of Story moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" ([H.F. 2297](#))

The ayes were, 57:

Bacon	Baudler	Baxter	Best
Bloomingtondale	Bossman	Carlson	Cownie
Deyoe	Dolecheck	Fisher	Fry
Gassman	Grassley	Gustafson	Hagenow
Hager	Hanusa	Heartsill	Heaton
Hein	Highfill	Hinson	Holt
Holz	Huseman	Jacobsen	Jones
Kaufmann	Kerr	Klein	Koester
Landon	Lundgren	Maxwell	McKean
Mohr	Mommsen	Moore	Nunn
Paustian	Pettengill	Rizer	Rogers
Salmon	Sexton	Sheets	Sieck
Taylor, R.	Upmeyer, Spkr.	Vander Linden	Watts
Wheeler	Wills	Worthan	Zumbach
Windschitl, Presiding			

The nays were, 40:

Anderson	Bearinger	Bennett	Bergan
Breckenridge	Brown-Powers	Cohon	Finkenauer
Forbes	Gaines	Gaskill	Hall
Heddens	Hunter	Isenhart	Jacoby
Kacena	Kearns	Kressig	Kurth
Lensing	Mascher	McConkey	Meyer
Miller, P.	Nielsen	Oldson	Olson
Ourth	Prichard	Running-Marquardt	Smith, M.
Smith, R.	Staed	Steckman	Taylor, T.
Thede	Wessel-Kroeschell	Winckler	Wolfe

Absent or not voting, 3:

Abdul-Samad	Baltimore	Miller, H.
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The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

[House File 2338](#), a bill for an act relating to temporary restricted licenses for operating-while-intoxicated offenders, providing penalties, and including applicability provisions, was taken up for consideration.

Klein of Washington moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" ([H.F. 2338](#))

The ayes were, 97:

Anderson	Bacon	Baudler	Baxter
Bearinger	Bennett	Bergan	Best
Bloomingtondale	Bossman	Breckenridge	Brown-Powers
Carlson	Cohoon	Cownie	Deyoe
Dolecheck	Finkenauer	Fisher	Forbes
Fry	Gaines	Gaskill	Gassman
Grassley	Gustafson	Hagenow	Hager
Hall	Hanusa	Heartsill	Heaton
Heddens	Hein	Highfill	Hinson
Holt	Holz	Hunter	Huseman
Isenhart	Jacobsen	Jacoby	Jones
Kacena	Kaufmann	Kearns	Kerr
Klein	Koester	Kressig	Kurth
Landon	Lensing	Lundgren	Mascher
Maxwell	McConkey	McKean	Meyer
Miller, P.	Mohr	Mommsen	Moore
Nielsen	Nunn	Oldson	Olson
Ourth	Paustian	Pettengill	Prichard
Rizer	Rogers	Running-Marquardt	Salmon
Sexton	Sheets	Sieck	Smith, M.
Smith, R.	Staed	Steckman	Taylor, R.
Taylor, T.	Thede	Upmeyer, Spkr.	Vander Linden
Watts	Wessel-Kroeschell	Wheeler	Wills
Winckler	Wolfe	Worthan	Zumbach
Windschitl, Presiding			

The nays were, none.

Absent or not voting, 3:

Abdul-Samad Baltimore Miller, H.

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

IMMEDIATE MESSAGES

Hagenow of Polk asked and received unanimous consent that the following bills be immediately messaged to the Senate: **House Files 2197, 2231, 2281, 2297, 2338** and [Senate File 455](#).

HOUSE FILES WITHDRAWN

Hagenow of Polk asked and received unanimous consent to withdraw House Files 164 and 2119 from further consideration by the House.

LEAVE OF ABSENCE

Leave of absence was granted during voting as follows:

Abdul-Samad of Polk
Miller, H. of Webster

Baltimore of Boone

SUBCOMMITTEE ASSIGNMENTS

[House File 2033](#)

Ways and Means: Vander Linden, Chair; Jacoby and Windschitl.

[House File 2046](#)

Ways and Means: Vander Linden, Chair; Jacoby and Windschitl.

[House File 2115](#)

Ways and Means: Vander Linden, Chair; Jacoby and Windschitl.

[House File 2224](#)

Ways and Means: Vander Linden, Chair; Jacoby and Windschitl.

[House File 2268](#)

Ways and Means: Vander Linden, Chair; Jacoby and Windschitl.

[House File 2373](#)

Ways and Means: Vander Linden, Chair; Jacoby and Windschitl.

HOUSE STUDY BILL SUBCOMMITTEE ASSIGNMENT

House Study Bill 671

Ways and Means: Cownie, Chair; Forbes, Pettengill, Prichard and Windschitl.

AMENDMENTS FILED

<u>H-8041</u>	<u>H.F.</u>	<u>2355</u>	Prichard of Floyd
<u>H-8042</u>	<u>S.F.</u>	<u>455</u>	Winckler of Scott
<u>H-8043</u>	<u>H.F.</u>	<u>2375</u>	Mohr of Scott
<u>H-8044</u>	<u>H.F.</u>	<u>2285</u>	Kaufmann of Cedar
<u>H-8045</u>	<u>H.F.</u>	<u>2131</u>	Maxwell of Poweshiek
<u>H-8046</u>	<u>H.F.</u>	<u>2307</u>	Landon of Polk
<u>H-8047</u>	<u>H.F.</u>	<u>2199</u>	Wolfe of Clinton
<u>H-8048</u>	<u>H.F.</u>	<u>2392</u>	Heartsill of Marion
<u>H-8049</u>	<u>H.F.</u>	<u>2238</u>	Pettengill of Benton
<u>H-8050</u>	<u>H.F.</u>	<u>2286</u>	Meyer of Polk
<u>H-8051</u>	<u>H.J.R.</u>	<u>2009</u>	Meyer of Polk

On motion by Hagenow of Polk, the House adjourned at 5:37 p.m., until 8:30 a.m., Tuesday, February 20, 2018.